

James E. Cecchi  
Lindsey H. Taylor  
Donald A. Ecklund  
CARELLA, BYRNE, CECCHI,  
OLSTEIN, BRODY & AGNELLO, P.C.  
5 Becker Farm Road  
Roseland, New Jersey 07068  
Telephone: (973) 994-1700

*Liaison Counsel for Proposed Lead  
Plaintiff Robert S. Davis and the Class*

Lionel Z. Glancy  
Robert V. Prongay  
Lesley F. Portnoy  
GLANCY PRONGAY & MURRAY LLP  
1925 Century Park East, Suite 2100  
Los Angeles, California 90067  
Telephone: (310) 201-9150

*Counsel for Proposed Lead Plaintiff Robert S.  
Davis and Proposed Lead Counsel for the  
Class*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

NAYMISH PATEL, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

ZOOMPASS HOLDINGS, INC., ROBERT  
LEE, and BRIAN MORALES,

Defendants.

Case No. 2:17-cv-03831-JLL-JAD

**NOTICE OF NON-OPPOSITION BY ROBERT S. DAVIS TO COMPETING MOTION  
FOR APPOINTMENT AS LEAD PLAINTIFF AND APPROVAL OF COUNSEL**

On July 31, 2017, pursuant to Section 21(D)(a)(3)(B) of the Securities Exchange Act of 1934, as amended by the Private Securities Litigation Reform Act of 1995 (the “PSLRA”), 15 U.S.C. § 78u-4(a)(3)(B), Robert S. Davis (“Movant”) timely filed a motion for appointment as lead plaintiff and approval of his selection of counsel in connection with the above-captioned securities fraud class action. Three similar motions were filed by other putative class members in this action.

The PSLRA provides a presumption that the “most adequate plaintiff” to represent the interests of class members is the person or group that, among other things, has “the largest financial interest in the relief sought by the class.” 15 U.S.C. § 78u-4(a)(3)(B)(iii)(I). Having reviewed the competing motions and supporting papers provided by the other movants seeking appointment as lead plaintiff, it appears that Movant does not possess the “largest financial interest in the relief sought by the class” as required by the PSLRA. As such, Movant does not oppose the competing motions.

However, were the Court to determine that the other lead plaintiff movants with losses larger than Movant’s are incapable or inadequate to represent the class in this litigation, Movant remains willing and able to serve as lead plaintiff or as class representative. By this Notice of Non-Opposition, Movant does not waive his rights to participate and recover as a class member in this litigation.

Dated: August 22, 2017

Respectfully submitted,

**CARELLA, BYRNE, CECCHI,  
OLSTEIN, BRODY & AGNELLO, P.C.**

By: /s/ Donald A. Ecklund  
James E. Cecchi  
Lindsey H. Taylor  
Donald A. Ecklund  
5 Becker Farm Road  
Roseland, New Jersey 07068  
Tel: (973) 994-1700

*[Proposed] Liaison Counsel for the Class*

**GLANCY PRONGAY & MURRAY LLP**  
Lionel Z. Glancy  
Robert V. Prongay  
Lesley F. Portnoy  
1925 Century Park East, Suite 2100  
Los Angeles, California 90067  
Tel: (310) 201-9150  
Fax: (310) 201-9160

*[Proposed] Lead Counsel for Movant and  
the Class*